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FREMONT BANK  
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9 UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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12 FREMONT BANK, a California state-  
chartered bank,

13 Plaintiff,

14 vs.

15 VALLEJO HOSPITALITY LLC, et al.,

16 Defendants.  
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CASE NO: 2:23-cv-02281-DJC-JDP

**STIPULATION AND ORDER  
CONTINUING HEARING DATE OF  
MOTION TO STRIKE**

1 Plaintiff FREMONT BANK ("Plaintiff") and defendant CALIFORNIA STATEWIDE  
2 COMMUNITIES DEVELOPMENT AUTHORITY ("CSCDA"), through their undersigned  
3 counsel, jointly stipulate and request the entry of the [proposed] order as follows:

4 WHEREAS, on November 14, 2023, CSCDA filed a motion to strike counts one and five of  
5 Plaintiff's Complaint herein, which motion was scheduled to be heard before Magistrate Judge  
6 Jeremy D. Peterson on February 1, 2024; and

7 WHEREAS, following reassignment of this case to U.S. District Court Judge Daniel J.  
8 Calabretta, the February 1, 2024 hearing date was vacated and CSCDA re-noticed the hearing on its  
9 motion to strike to February 15, 2024 at 1:30 p.m.; and

10 WHEREAS, the hearings on Plaintiff's pending motions for (1) appointment of a receiver;  
11 (2) writ of attachment; and (3) summary adjudication are set for February 29, 2024 at 1:30 p.m.; and

12 WHEREAS, Plaintiff requested that CSCDA consent to continue the hearing on its motion  
13 to February 29, 2024 and CSCDA has agreed;

14 Plaintiff and CSCDA hereby stipulate and request the Court to continue the hearing on  
15 CSCDA's motion to strike to February 29, 2024 at 1:30 p.m., to be heard at the same time as  
16 Plaintiff's pending motions.

17 DATED: February 7, 2024

KIRSCHENBAUM LAW, PC

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19 By: /s/ Jeffrey B. Kirschenbaum  
Jeffrey B. Kirschenbaum  
Attorneys for Plaintiff  
FREMONT BANK

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22 DATED: February 7, 2024

BLANK ROME LLP

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24 By: /s/ Andrew Schrag  
Andrew Schrag  
Attorneys defendant  
25 CALIFORNIA STATEWIDE COMMUNITIES  
26 DEVELOPMENT AUTHORITY  
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**ATTESTATION PURSUANT TO LOCAL RULE 131(e)**

Pursuant to Civil Local Rule 131(e), counsel for Plaintiff attests that concurrence in the filing of this document has been obtained from each of the other signatories.

DATED: February 7, 2024

KIRSCHENBAUM LAW, PC

By: /s/ Jeffrey B. Kirschenbaum  
Jeffrey B. Kirschenbaum  
Attorneys for Plaintiff  
FREMONT BANK

**ORDER**

The Court, having considered the Joint Stipulation of the parties, and good cause appearing therefor, hereby ORDERS that the hearing on defendant CSCDA's motion to strike is continued to February 29, 2024 at 1:30 p.m., to be heard at the same time as Plaintiff's pending motions.

IT IS SO ORDERED.

DATED: February 7, 2024

/s/ Daniel J. Calabretta  
THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE